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7 TONY HARRELL,  
8 Plaintiff,  
9 v.  
10 FERGUSON PS,  
11 Defendant.

Case No. [3:22-cv-06337-JD](#)

**ORDER TO SHOW CAUSE**

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13 In this action for breach of contract, pro se plaintiff Tony Harrell has not filed an  
14 opposition to defendant's motion to dismiss, which was filed on October 28, 2022. Dkt. No. 6.  
15 His response was due November 14, 2022. Civil L.R. 7-3(a).

16 Harrell is ordered to show cause in writing by **February 7, 2023**, why the case should not  
17 be dismissed under Federal Rule of Civil Procedure 41(b) for failure to prosecute.

18 **IT IS SO ORDERED.**

19 Dated: January 24, 2023

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JAMES DONATO  
United States District Judge